

FENCES

Permit

A permit is required for any fence over 6-feet in height, which will require engineered drawings. The fee is \$45 plus a state surcharge based on the total valuation. Fence regulations can be found in Section 30-796 of the City Code, www.ElkRiverMn.gov.

General Requirements

Fences shall be located entirely upon the private property of the person constructing or causing the construction of such fence unless the owner of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties.

When the fence cannot be placed on the property line, the fence should be setback adequately enough for the property owner of the fence to maintain both side of the fence without being on the adjoining property.

Height Restrictions

In any residential zone on any lot, no fence or planting shall rise over 2 1/2 feet in height above the level of the public sidewalk or curb of street within ten feet of the front property line. (See Attached Map)

Side and front yards No fence in a front yard or along a side line of a lot in a residential zone, other than a retaining wall, shall be higher than six feet in height unless the adjoining lot is not in a residential zone.

Rear yard No fence higher than eight feet may be located in a required rear yard in a residential district, unless the adjoining lot is not in a residential zone.

Construction and Maintenance

- If the material used in the fence construction is not finished on both sides, the finished side of the material shall be on the outside, facing the abutting or adjoining properties, and all posts or structures supporting the fence shall be on the inside of the fence.
- Every fence shall be constructed in a complete and substantial manner and of materials reasonably suited for the purpose for which the fence is proposed to be used.
- Every fence shall be maintained in a condition of reasonable repair. No fence shall be constructed or continue which is dangerous to the public safety, health, or welfare as determined by the director of planning or their designee.

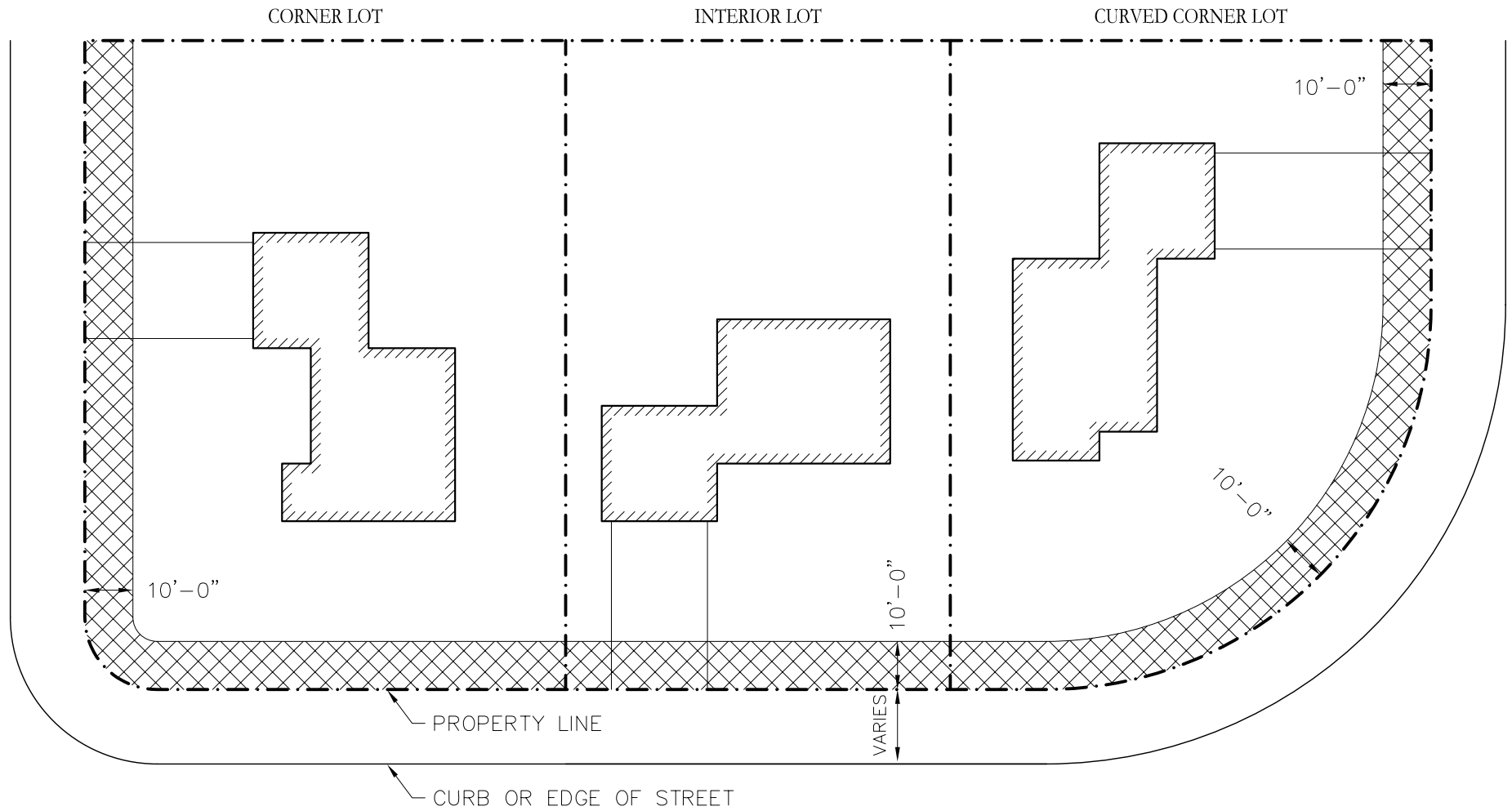
Pools

Below Ground Pools shall be enclosed with a fence that is a minimum 4-feet high and includes lockable gates. The fence shall be installed prior to filling the pool. Fencing shall be chain link, vertical pickets or solid. Spaces between the bottom of the fence and the ground or between the pickets shall not exceed four inches.

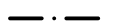
Above Ground Pools Fences are not required. Above ground pools that require a building permit shall have access controlled with a means to prevent access into the above ground pool when unoccupied.

Agricultural Fences

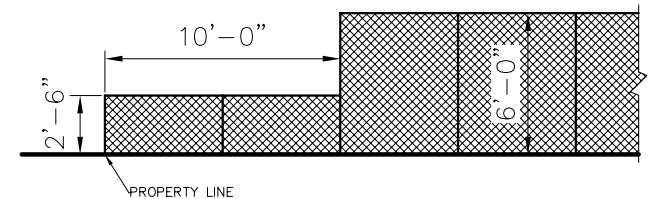
Electric, barbed wire, and barbless wire fences shall be permitted only in the A-1 and R-1a zoning districts when related to farming, but not as boundary fences. In the A-1 and R-1a zoning districts, fences must be setback 5-feet from property lines. In the R-1b, R-1c, and R-1d zoning districts, fences must be setback 100-feet from property lines.



AREA OF PROPERTY WHERE FENCES OR PLANTINGS CAN NOT EXCEED 2 1/2 FEET IN HEIGHT ABOVE THE LEVEL OF THE PUBLIC SIDEWALK OR CURB OF THE STREET. SEE DIAGRAM TO THE RIGHT.



PROPERTY LINE (NOT THE CURB OR THE EDGE OF STREET)



Not to Scale

